

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

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JAMES M. BAKER, On behalf of himself and all others similarly situated,	:	
	:	Case No. 1:05-cv-00272-GMS
Plaintiff,	:	<u>CLASS ACTION</u>
vs.	:	
MBNA CORP., BRUCE L. HAMMONDS, KENNETH A. VECCHIONE, RICHARD K. STRUTHERS, CHARLES C. KRULAK, JOHN R. COCHRAN, III, MICHAEL G. RHODES, LANCE L. WEAVER, and JOHN W. SCHEFLEN,	:	
Defendants.	:	
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ROCHELLE PHILLIPS, On behalf of herself and all others similarly situated,	:	
	:	Case No. 1:05-cv-00277-GMS
Plaintiff,	:	<u>CLASS ACTION</u>
vs.	:	
MBNA CORP., BRUCE L. HAMMONDS, and KENNETH . VECCHIONE,	:	
Defendants.	:	
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(Additional Captions Set Forth Below)		

**MOTION OF ACTIVEST TO BE APPOINTED LEAD PLAINTIFF AND FOR
APPROVAL OF ITS SELECTION OF LEAD COUNSEL**

ROBERT WILKINS, Individually and on behalf
of all others similarly situated,

Plaintiff,

vs.

MBNA CORP., BRUCE L. HAMMONDS,
KENNETH A. VECCHIONE, RICHARD K.
STRUTHERS, CHARLES C. KRULAK, JOHN
R. COCHRAN, III, MICHAEL G. RHODES,
LANCE L. WEAVER, and JOHN W.
SCHEFLEN,

Defendants.

Case No. 1:05-cv-00287-GMS

CLASS ACTION

LEONARD BRONSTEIN, On behalf of himself
and all others similarly situated,

Plaintiff,

vs.

MBNA CORP., BRUCE L. HAMMONDS,
KENNETH A. VECCHIONE, RICHARD K.
STRUTHERS, CHARLES C. KRULAK, JOHN
R. COCHRAN, III, MICHAEL G. RHODES,
LANCE L. WEAVER, and JOHN W.
SCHEFLEN,

Defendants.

Case No. 1:05-cv-00289-GMS

CLASS ACTION

GREG PENN, On behalf of himself and all others
similarly situated,

Plaintiff,

vs.

MBNA CORP., BRUCE L. HAMMONDS,
KENNETH A. VECCHIONE, RICHARD K.
STRUTHERS, and LANCE L. WEAVER,

Defendants.

Case No. 1:05-cv-00293-GMS

CLASS ACTION

CLIFFORD W. JONES, On behalf of himself and
all others similarly situated,

Plaintiff,

vs.

MBNA CORP., BRUCE L. HAMMONDS, and
KENNETH A. VECCHIONE,

Defendants.

Case No. 1:05-cv-00316-GMS

CLASS ACTION

MICHAEL D. BLUM, On behalf of himself and
all others similarly situated,

Plaintiff,

vs.

MBNA CORP., BRUCE L. HAMMONDS,
KENNETH A. VECCHIONE, JOHN R.
COCRAN, III, RICHARD K. STRUTHERS, and
LANCE L. WEAVER,

Defendants.

Case No. 1:05-cv-00372-GMS

CLASS ACTION

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	:	
THOMAS J. CUSSEN, On behalf of himself and	:	
all others similarly situated,	:	Case No. 1:05-cv-00389-GMS
	:	
Plaintiff,	:	<u>CLASS ACTION</u>
	:	
vs.	:	
	:	
MBNA CORP., BRUCE L. HAMMONDS,	:	
KENNETH A. VECCHIONE, RICHARD K.	:	
STRUTHERS, CHARLES C. KRULAK, JOHN	:	
R. COCRAN, III, MICHAEL G. RHODES,	:	
LANCE L. WEAVER and JOHN W. SCHEFLEN,	:	
	:	
Defendants.	:	
	:	
_____	X	

Class member Activest Investmentgesellschaft mbH for accounts of the PT-Master fund and Enerfonds, upon the accompanying declaration of Ralph Sianni, dated July 5, 2005, the accompanying memorandum of law in support, and upon all other papers and prior proceedings had herein, the undersigned hereby moves this Court, for an Order:

- (1) Consolidating the above-captioned actions pursuant to Fed. R. Civ. P. 42(a)
- (2) Pursuant to 15 U.S.C. § 78u-4(a), appointing movant Activest as Lead Plaintiff;

(3) and approving its selection of Milberg Weiss Bershad & Schulman LLP as Lead Counsel pursuant to 15 U.S.C. § 78u-4(a)(3)(B)(v).

DATED: July 5, 2005

Respectfully submitted,

**MILBERG WEISS BERSHAD
& SCHULMAN LLP**

By /s/ Ralph N. Sianni
Seth D. Rigrodsky, Esq. (#3147)
Ralph Sianni, Esq. (#4151)
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--and--

**MILBERG WEISS BERSHAD &
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Proposed Lead Counsel